

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

No. 1:12-CR-17

vs.

Hon. Janet T. Neff
United States District Judge

ANDRE BLAIR SMITH, M.D.,

Defendant.

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JOINT STATEMENT OF THE CASE

A federal grand jury has returned a Superseding Indictment that charges the Defendant Dr. Andre Smith with a violation of the federal Anti-Kickback Statute for receiving money in return for referring individuals for services for which payment may be made in whole or in part by Medicare or Medicaid. The Superseding Indictment is not any evidence of guilt. Dr. Smith has pleaded not guilty and is presumed innocent. This presumption of innocence stays with him unless the government presents evidence here in court that overcomes the presumption, and convinces you beyond a reasonable doubt that he is guilty.

Respectfully submitted,

PATRICK A. MILES, JR.
United States Attorney

Dated: November 15, 2012

/s/Raymond E. Beckering III
RAYMOND E. BECKERING III
ADAM B. TOWNSHEND
Assistant U.S. Attorneys